

STATE OF CONNECTICUT

SITING COUNCIL

Re: The Connecticut Light and Power Company and The) Docket 272
United Illuminating Company Application for a)
Certificate of Environmental Compatibility and Public)
Need for the Construction of a New 345-kV Electric)
Transmission Line and Associated Facilities Between)
Scovill Rock Switching Station in Middletown and)
Norwalk Substation in Norwalk, Connecticut Including)
the Reconstruction of Portions of Existing 115-kV and)
345-kV Electric Transmission Lines, the Construction of)
the Beseck Switching Station in Wallingford, East)
Devon Substation in Milford, and Singer Substation in)
Bridgeport, Modifications at Scovill Rock Switching) November 22, 2005
Station and Norwalk Substation and the Reconfiguration)
of Certain Interconnections)
Supplemental Hearing Pursuant to Conn. Gen. Stat.)
§ 4-183(h))

PRE-FILED TESTIMONY OF ANTHONY W. JOHNSON, III

1 Q. Mr. Johnson, by whom are you employed?

2 A. I am employed by Northeast Utilities Service Company ("NUSCO") as Supervisor,
3 Transmission Vegetation Management. NUSCO is a wholly owned subsidiary of
4 Northeast Utilities, and provides services to other Northeast Utilities subsidiaries,
5 including The Connecticut Light and Power Company ("CL&P").

6 Q. How long have you occupied your current position?

7 A. I have been in this position since May, 2002. Before that, I was employed on the
8 NUSCO forestry staff.

1 Q. Who was your predecessor in your current position?

2 A. My predecessor was Alan T. Chapman, who is now retired.

3 Q. Are you familiar with the vegetation management practices that NUSCO employs on The
4 Connecticut Light and Power Company ("CL&P") right-of-way through the Royal Oak
5 Park subdivision in Middletown and Durham?

6 A. Yes, I am.

7 Q. Please briefly describe those practices.

8 A. We allow the Royal Oak homeowners to maintain the right-of-way themselves, so long as
9 they do so consistent with certain minimum standards intended to avoid interference with
10 CL&P's transmission lines. If the landowners conduct such maintenance, CL&P will not
11 perform maintenance and clearing itself. Of course, if the landowner does not maintain
12 the right-of-way in accordance with the stipulated standards, NUSCO will step in and
13 perform any clearing or maintenance that it deems necessary.

14 Q. In those instances where NUSCO does the maintenance itself, are its practices any
15 different than those stipulated in its standard vegetation maintenance practices?

16 A. Yes. Typically, CL&P's transmission easements allow it to control all woody vegetation,
17 and to use herbicides to do so. CL&P could exercise these rights when the Royal Oak
18 homeowners fail to maintain the rights-of-way themselves. However, because of the

1 special understanding that CL&P has with the Royal Oak homeowners, as a matter of
2 practice, when NUSCO performs vegetation maintenance itself at Royal Oak, it does so
3 only after notice and an opportunity for consultation has been given to the affected
4 property owners, and it uses selective hand cutting to trim or remove hazardous limbs or
5 trees. NUSCO does not "clear cut" or use herbicides.

6 Q. How often does NUSCO perform maintenance on the Royal Oak right-of-way, if it finds
7 that maintenance by the company is required?

8 A. Typically, every four years or so.

9 Q. When did NUSCO last do so?

10 A. We performed maintenance on the right-of-way in 2001. In addition, in September of
11 2005, we reviewed and removed selectively only certain vegetation that required
12 immediate control. In both cases, we followed our standard practice for Royal Oak of
13 advance notification to and discussions with affected property owners.

14 Q. What is the effect of the employment of the special vegetation management practices you
15 have described on the right-of-way through the Royal Oak subdivision?

16 A. As a result of these practices, the right-of-way through the Royal Oak subdivision
17 supports more and denser vegetation than is typically seen on CL&P rights-of-way.
18 Much of the woody vegetation at the edges of the right-of-way reaches heights that are

1 comparable to the height of the wood H-frame transmission structures on the right-of-
2 way. Accordingly, the vegetation along the right-of-way provides substantial visual
3 screening of the transmission facilities.

4 Q. Please identify Exhibits A, B, and C attached to this pre-filed testimony.

5 A. These are examples of letters that we use to memorialize understandings with respect to
6 special vegetation management arrangements with landowners, such as I have just
7 described.

8 Q. How did these particular three letters come to be?

9 A. In 1997, my predecessor, Mr. Chapman, spoke with several landowners in the Royal Oak
10 subdivision in Middletown and Durham, and, on behalf of CL&P, agreed to the special
11 vegetation arrangement I have described above. He then sent letters to the people he
12 spoke with. These are the three that I have been able to find in our files.

13 Q. The letters have a space for a countersignature of the landowner, but only one of the three
14 letters is actually signed by the landowner. Does this have any impact on your vegetation
15 management practices?

16 A. No. The letters were meant to reflect an understanding that was reached with the
17 landowners. Typically, we discuss these arrangements in a face-to-face setting. We like
18 to get a letter back signed by the landowner, because then we have confirmation that the

1 landowner understands the terms of the arrangement. But we do not require a
2 countersigned letter from each landowner as a condition of implementing the special
3 vegetation plan. The arrangement is much more informal than that.

4 Q. Does NUSCO employ the special vegetation management practices you have described
5 only on the portions of the right-of-way that traverse the land of the property owners to
6 whom these letters are addressed?

7 A. No, as a matter of practice, we consider that we have an arrangement with the residents as
8 a whole to employ these practices on the entire right-of-way through the Royal Oak
9 subdivision.

10 Q. Are the special vegetation management practices you have described unique to the Royal
11 Oak subdivision?

12 A. No. NUSCO has several similar arrangements with other landowners. In general, where
13 the right-of-way is in close proximity to homes, and there is an opportunity for
14 diminishing the visual impact of the structures through the employment of such practices,
15 we will consider entering into such an arrangement.

16 Q. Does this conclude your testimony?

17 A. Yes.

EXHIBIT A



Northeast
Utilities System

107 Selden Street, Berlin, CT 06037

Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270
(860) 665-5000

July 3, 1997

Mr. Walter Pietruska
58 Black Walnut Dr..
Durham, Ct 06422
(860) 349-8102

Dear Mr. Pietruska:

This will confirm our conversation on July 1, 1997 concerning the maintenance (trimming and pruning) of trees and shrubs within the 115 kV CL&P right of way from the Carpenter La. Jct. in Wallingford, Ct. to Oxbow Jct. in Haddam, Ct. If this letter correctly states our agreement on this matter, please sign it on the line after the word "Agreed" in the margin below and return it in the enclosed addressed envelope to:

Northeast Utilities

PO Box 270

Hartford, CT 06141

Attn.: Alan T. Chapman - Bldg. 3333

Proper maintenance of our transmission lines, including keeping the lines and structures free from contact or interference from woody vegetation, is essential to safe and reliable electric service. We have an easement on your land that allows us to control woody vegetation in the right-of-way, in order to keep our lines structures and access to them clear. Normally, all woody vegetation (trees and vines) are removed from the right-of-way. Because you do not want us to remove the trees from the right-of-way on your property, you have agreed to trim or prune these trees in accordance with the maximum heights listed below after initial :

- Trees within the conductor zone (the continuous area under the conductors extending outward a distance of 15 feet from the outermost conductors) shall be kept at or below a height of 15 feet. Trees to be cut in conductor zone are cherry (except on the lawn), sumac and ash. Trees to be trimmed are pine, apple, sassafras, cedar, Flowering Dogwood, maple and spruce. Treat stumps with Accord. Chip the brush.

PAGE 2

Call 48 hours before starting work.


- The trees in the side zones shall be kept at or below 20 feet.

The woody vegetation that you have agreed to maintain includes all trees that are capable of growing tall enough to contact the overhead lines. You have agreed to keep these trees trimmed or pruned within the above stated heights and in accordance with the standards set forth in the enclosed Transmission Easement Right-of-Way Conditions to be Met in Lieu of Vegetation Removal ("Conditions").

However, if after that time the trees are not trimmed and we determine that the right-of-way area does not meet the standards set forth in the "Conditions" or with this agreement, we will remove the trees as allowed by our easement.

WARNING: The Transmission lines located in the right-of-way carry live electric current. As a safety precaution, you must **not** cut or trim trees that are in close proximity to the overhead conductors. Contact with the energized lines can cause serious injury or death. If trees are growing near the lines when this agreement is signed, the NU Representative will make a determination on whether or not CL&P will cut, top or trim back the trees away from the conductors to a safe distance. After that, the property owner or his contractor will be required to perform all future tree trimming and maintenance.

Very truly yours,


Alan T. Chapman
Construction Representative

Agreed: 
(Land Owner)

Enclosure: Transmission Easement Right-of-Way Conditions and Easement
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- 1) Please, if possible widen the access road towards Middletown (White House) side of the existing path.
 - 2) Leave all trees on lawn untouched.
 - 3) Only top cedar & other bushes in area where blueberry & pines are growing. I will remove all pines in the fall & transplant them.
 - 4) Two trees by white house try to leave standing removing all branches growing towards power lines.
- (860)-277-9579 or (860)-249-8102

EXHIBIT A

NORTHEAST UTILITIES
TRANSMISSION
EASEMENT RIGHT-OF-WAY CONDITIONS
TO BE MET IN LIEU OF VEGETATION REMOVAL

A. The right-of-way shall be cleared and kept clear at all times of live woody vegetation as follows:

1. Established access routes within the right-of-way easement area, areas around pole or tower structures and guying anchors shall be clear of all woody tree and brush species. Low growing shrubs that mature at a height of 2 feet or less (e.g. lowbush blueberry) may remain as well as grasses and forbs (e.g. herbs and ferns).

- Access routes shall be maintained to a width of 14 feet.
- Structure areas shall be maintained to a distance of 10 feet outward from each structure.
- Anchors guys shall be maintained to a distance of 5 feet around each anchor.

B. All trees and shrubs to remain within the right-of-way easement area shall be maintained, trimmed or pruned, so that they will not grow tall enough to potentially contact the overhead conductors.

C. If cut-off brush, limbs or branches are piled by the land owner within the limits of the right-of-way easement area, they shall be piled as near to the cleared or maintained edges as possible and outside of the outermost conductors. No vegetative debris shall be piled within the cleared access route, within the cleared areas around structure or guy anchors or within any other area designated by the Northeast Utilities' Representative.

If the debris is chipped, the land owner may spread the chips anywhere within the maintained portion of the right-of-way. The maximum depth of the chips shall not exceed three inches.

D. The land owner shall identify with visible markings that boundaries of his property within the right-of-way.



Northeast
Utilities System

EXHIBIT B

107 Selden Street, Berlin, CT 06037

Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270
(860) 665-5000

July 3, 1997

Mr. Mitchell Bradley
47 Ironwood La.
Durham, Ct 06422
(860) 349-9137

Dear Mr. Bradley:

This will confirm our conversation on July 1, 1997 concerning the maintenance (trimming and pruning) of trees and shrubs within the 115 kV CL&P right of way from the Carpenter La. Jct. in Wallingford, Ct. to Oxbow Jct. in Haddam, Ct. If this letter correctly states our agreement on this matter, please sign it on the line after the word "Agreed" in the margin below and return it in the enclosed addressed envelope to:

Northeast Utilities

PO Box 270

Hartford, CT 06141

Attn.: Alan T. Chapman - Bldg. 3333

Proper maintenance of our transmission lines, including keeping the lines and structures free from contact or interference from woody vegetation, is essential to safe and reliable electric service. We have an easement on your land that allows us to control woody vegetation in the right-of-way, in order to keep our lines structures and access to them clear. Normally, all woody vegetation (trees and vines) are removed from the right-of-way. Because you do not want us to remove the trees from the right-of-way on your property, you have agreed to trim or prune these trees in accordance with the maximum heights listed below after initial :

- Trees within the conductor zone (the continuous area under the conductors extending outward a distance of 15 feet from the outermost conductors) shall be kept at or below a height of 18 feet and with initial cut at 15 feet. Trees to be cut in conductor zone are the tall growing hardwood trees (ash, maple and cherry). Trees to be trimmed are apple trees. **Do not use any herbicides on this property.**

EXHIBIT B

PAGE 2

Call 48 hours before starting work.

- The trees in the side zones shall be kept at or below 20 feet.

The woody vegetation that you have agreed to maintain includes all trees that are capable of growing tall enough to contact the overhead lines. You have agreed to keep these trees trimmed or pruned within the above stated heights and in accordance with the standards set forth in the enclosed Transmission Easement Right-of-Way Conditions to be Met in Lieu of Vegetation Removal ("Conditions").

However, if after that time the trees are not trimmed and we determine that the right-of-way area does not meet the standards set forth in the "Conditions" or with this agreement, we will remove the trees as allowed by our easement.

WARNING: The Transmission lines located in the right-of-way carry live electric current. As a safety precaution, you must **not** cut or trim trees that are in close proximity to the overhead conductors. Contact with the energized lines can cause serious injury or death. If trees are growing near the lines when this agreement is signed, the NU Representative will make a determination on whether or not CL&P will cut, top or trim back the trees away from the conductors to a safe distance. After that, the property owner or his contractor will be required to perform all future tree trimming and maintenance.

Very truly yours,



Alan T. Chapman

Construction Representative

Agreed: _____
(Land Owner)

Enclosure: Transmission Easement Right-of-Way Conditions and Easement

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EXHIBIT B

NORTHEAST UTILITIES
TRANSMISSION
EASEMENT RIGHT-OF-WAY CONDITIONS
TO BE MET IN LIEU OF VEGETATION REMOVAL

- A. The right-of-way shall be cleared and kept clear at all times of live woody vegetation as follows:
1. Established access routes within the right-of-way easement area, areas around pole or tower structures and guying anchors shall be clear of all woody tree and brush species. Low growing shrubs that mature at a height of 2 feet or less (e.g. lowbush blueberry) may remain as well as grasses and forbs (e.g. herbs and ferns).
 - Access routes shall be maintained to a width of 14 feet.
 - Structure areas shall be maintained to a distance of 10 feet outward from each structure.
 - Anchors guys shall be maintained to a distance of 5 feet around each anchor.
- B. All trees and shrubs to remain within the right-of-way easement area shall be maintained, trimmed or pruned, so that they will not grow tall enough to potentially contact the overhead conductors.
- C. If cut-off brush, limbs or branches are piled by the land owner within the limits of the right-of-way easement area, they shall be piled as near to the cleared or maintained edges as possible and outside of the outermost conductors. No vegetative debris shall be piled within the cleared access route, within the cleared areas around structure or guy anchors or within any other area designated by the Northeast Utilities' Representative.
- If the debris is chipped, the land owner may spread the chips anywhere within the maintained portion of the right-of-way. The maximum depth of the chips shall not exceed three inches.
- D. The land owner shall identify with visible markings that boundaries of his property within the right-of-way.



Northeast
Utilities System

EXHIBIT C

107 Selden Street, Berlin, CT 06037

Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270
(203) 665-5000

October, 31 1997

Mr. James Brant
35 Evergreen Terr.
Durham, Ct 06422
(860) 349-4015

Dear Mr. Brant:

This will confirm your conversation with the CABC foreman Mark Spear concerning the maintenance (trimming and pruning) of trees and shrubs within the 115 kV CL&P right of way from the Carpenter La. Jct. in Wallingford, Ct. to Oxbow Jct. in Haddam, Ct. He indicated to me that you wished to continue the same agreement that I had with Mr. Paulick. If this letter correctly states our agreement on this matter, please sign it on the line after the word "Agreed" in the margin below and return it in the enclosed addressed envelope to:

Northeast Utilities

PO Box 270

Hartford, CT 06141

Attn.: Alan T. Chapman - Bldg. 3333

Proper maintenance of our transmission lines, including keeping the lines and structures free from contact or interference from woody vegetation, is essential to safe and reliable electric service. We have an easement on your land that allows us to control woody vegetation in the right-of-way, in order to keep our lines structures and access to them clear. Normally, all woody vegetation (trees and vines) are removed from the right-of-way. Because you do not want us to remove the trees from the right-of-way on your property, you have agreed to trim or prune these trees in accordance with the maximum heights listed below after initial :

- Trees within the conductor zone (the continuous area under the conductors extending outward a distance of 15 feet from the outermost conductors) shall be kept at or below a height of 20 feet. Trees to be cut in conductor zone are cherry, maple poplar and other tall hardwood species. Leave sumac, olive, cedar, pine and spruce. Treat stumps with Accord. Dice the brush away from sight.

PAGE 2

Call 48 hours before starting work.

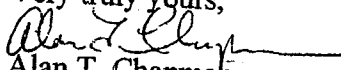
- The trees in the side zones shall be kept at or below 25 feet.

The woody vegetation that you have agreed to maintain includes all trees that are capable of growing tall enough to contact the overhead lines. You have agreed to keep these trees trimmed or pruned within the above stated heights and in accordance with the standards set forth in the enclosed Transmission Easement Right-of-Way Conditions to be Met in Lieu of Vegetation Removal ("Conditions").

However, if after that time the trees are not trimmed and we determine that the right-of-way area does not meet the standards set forth in the "Conditions" or with this agreement, we will remove the trees as allowed by our easement.

WARNING: The Transmission lines located in the right-of-way carry live electric current. As a safety precaution, you must **not** cut or trim trees that are in close proximity to the overhead conductors. Contact with the energized lines can cause serious injury or death. If trees are growing near the lines when this agreement is signed, the NU Representative will make a determination on whether or not CL&P will cut, top or trim back the trees away from the conductors to a safe distance. After that, the property owner or his contractor will be required to perform all future tree trimming and maintenance.

Very truly yours,


Alan T. Chapman

Construction Representative

Agreed: _____
(Land Owner)

Enclosure: Transmission Easement Right-of-Way Conditions and Easement

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EXHIBIT C

NORTHEAST UTILITIES
TRANSMISSION
EASEMENT RIGHT-OF-WAY CONDITIONS
TO BE MET IN LIEU OF VEGETATION REMOVAL

- A. The right-of-way shall be cleared and kept clear at all times of live woody vegetation as follows:
1. Established access routes within the right-of-way easement area, areas around pole or tower structures and guying anchors shall be clear of all woody tree and brush species. Low growing shrubs that mature at a height of 2 feet or less (e.g. lowbush blueberry) may remain as well as grasses and forbs (e.g. herbs and ferns).
 - Access routes shall be maintained to a width of 14 feet.
 - Structure areas shall be maintained to a distance of 10 feet outward from each structure.
 - Anchors guys shall be maintained to a distance of 5 feet around each anchor.
- B. All trees and shrubs to remain within the right-of-way easement area shall be maintained, trimmed or pruned, so that they will not grow tall enough to potentially contact the overhead conductors.
- C. If cut-off brush, limbs or branches are piled by the land owner within the limits of the right-of-way easement area, they shall be piled as near to the cleared or maintained edges as possible and outside of the outermost conductors. No vegetative debris shall be piled within the cleared access route, within the cleared areas around structure or guy anchors or within any other area designated by the Northeast Utilities' Representative.
- If the debris is chipped, the land owner may spread the chips anywhere within the maintained portion of the right-of-way. The maximum depth of the chips shall not exceed three inches.
- D. The land owner shall identify with visible markings that boundaries of his property within the right-of-way.